

in a circuit design with certain variations based on file association, it does not show how the programmable “design cells” themselves may be created from abstract geometric shapes - i.e. the “layout cells” discussed in Applicants patent specification.

The rejection stated in the Office Action does not meet the requirements of demonstrating anticipation of the rejected claims. Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ 2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). It is not enough, however, that the prior art reference discloses all the claimed elements in isolation. Rather, “[a]nticipation requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim*.” *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Applicant respectfully submits that the Office Action did not make out a *prima facie* case of anticipation for the following reasons:

**(1) The reference does not teach each and every claim element.**

Anticipation requires the disclosure in a single prior art reference of each element of the claim under consideration. *In re Dillon* 919 F.2d 688, 16 USPQ2d 1897, 1908 (Fed. Cir. 1990) (en banc), cert. denied, 500 U.S. 904 (1991). Anticipation also requires the presence in a single prior reference disclosure of each and every element of the claimed invention, *arranged as in the claim*. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481, 485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983)) (emphasis added).

Claim 1 recites: “a plurality of programmable design cells” In contrast, the cited Robinson et al patent describes a system where SPROCcells Function Library already exists rather than one in which each cell has “a set of parameters created by relating the corresponding local variables within a local file to appropriate global values from the global file such that changes of global variables in the global file may cause changes in the cells in accordance with parameters in the local files” as claim 1 requires. Thus the cited Robinson et al patent does not teach each element of claim 1 because it does not show the programmable design cells of claim

1.

As to claim 9, there is no showing in the cited Robinson et al patent of “a computer program stored thereon to update a set of parameters of a design cell by relating local parameters of a local file for the design cell to a global file of global variables relating to layout of element blocks of a hierarchical structure’ as required in claim 2. The cited Robinson et al patent does not appear to provide for a proramable SPROCcell which is reprogrammable in the manner claimed in claim 9.

As to claim 15, there is no showing in Robinson of “a computer program executed by the processor from the medium to automatically update a set of parameters for each of a plurality of programmable design cells” as specifically claimed. The cited Robinson et al patent has no such computer program and does not contemplate proqrammable design cells functioning as the claim requires.

In the method of claim 22, the operation of “updating a set of parameters of a programmable design cell by relating corresponding local variables of a local file corresponding to the programmable design cell to corresponding global variables of the global file” is not disclosed or suggested in the cited Robinson et al patent.

Claims 2-8, 10-14, 16-21 and 23-25 depend, directly or indirectly, on claims 1, 9, 15 and 22, respectively, and are patentable over the cited Robinson patent for the reasons argued above, as well as for inclusion of the additional elements in the claims. If an independent claim is patentable over the cited prior art, then any claim depending from it is also patentable over that art.

Reconsideration and allowance of claims 1-25 is respectfully requested.

**CONCLUSION**

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney at (612) 373-6970 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Commissioner of Patents, Washington, D.C. 20231, on this 7th day of December, 2001.

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